

# **EXHIBIT 1**

STATE OF ALABAMA     )  
                                  :  
Montgomery COUNTY )

**AFFIDAVIT OF TARA GIBSON**

1. My name is Tara Gibson and I am employed by Colonial Bank, N.A. ("Colonial") as an Assistant Vice President. My position with Colonial is HR Area Manager.
2. This Affidavit is based on my personal knowledge.
3. In connection with my duties for Colonial, I have been provided access to the employment records for Colonial BancGroup, Inc. ("BancGroup") which is the holding company for Colonial. I am not an employee of BancGroup.
4. For the year 2004, Colonial BancGroup had fourteen (14) total employees who worked at any point during that year. See attached redacted Microsoft Excel Spreadsheet Listing of Employees.
5. For 2005, Colonial BancGroup had no more than fourteen (14) employees for twenty (20) or more weeks.
6. While Colonial BancGroup employed sixteen (16) total persons during 2005, two (2) of these employees were not employed for twenty (20) or more weeks during 2005. Specifically, one of these sixteen employees began working for Colonial BancGroup on February 11, 2005, and ended on February 28, 2005 while a second employee who worked for Colonial BancGroup beginning on January 1, 2005, separated from Colonial BancGroup on March 10, 2005. Therefore, during the calendar year of 2005, there could have been no more than fourteen (14) holding group employees for twenty or more weeks.

FURTHER Affiant saith not.

Executed this 18<sup>th</sup> day of April, 2006.

Lara Gibson

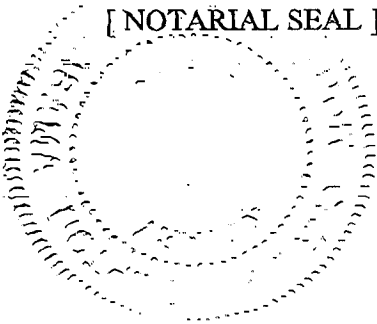
STATE OF ALABAMA )

Montgomery COUNTY )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Tara Gibson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 18 day of April, 2006.

[ NOTARIAL SEAL ]



Carl Compton

Notary Public

Carl Compton

Printed Name

My Commission Expires: 2009